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Kelly L. McDow-Dunham 43,787

Name of Attorney or Agent Registration No.

*Kelly L. McDow-Dunham*  
Signature of Attorney or Agent

P&G Case 8624

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :  
Raul Victorino Nunes, et al. : Confirmation No. Not Yet Assigned  
Serial No. 10/014,377 : Group Art Unit: Not Yet Assigned  
Filed: December 11, 2001 : Examiner: Not Yet Assigned  
For FATTY ACID COMPOSITIONS HAVING SUPERIOR STABILITY AND FLAVOR  
PROPERTIES

## INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☒ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

3. ☐ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1<sup>st</sup> O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

**THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.**

(a) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6. ☐ 37 C.F.R. §1.97(c) with fee payment - (use after 1<sup>st</sup> Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte*

*Quayle*) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

**ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:**

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. \_\_\_\_, U.S. Patent Application Serial No. \_\_, filed \_\_. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☒ (2) Copies of the cited documents are enclosed.

OR

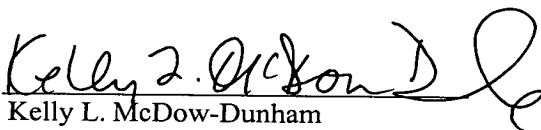
☐ (3) Copies of all said documents, except document No.'s \_\_\_\_, were submitted and considered in parent application U.S. Patent Application Serial No. \_\_\_\_, filed \_\_\_\_\_. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s \_\_\_\_ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s \_\_\_\_ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☐ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

By   
Kelly L. McDow-Dunham  
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Registration No. 43,787  
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Date: January 22, 2002

Customer No. 27752

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PTO/SB08A (08-00)

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Use as many sheets as necessary)

|                        |                      |
|------------------------|----------------------|
| Application Number     | 10/014,377           |
| Confirmation Number    |                      |
| Filing Date            | December 11, 2001    |
| First Named Inventor   | Raul Victorino Nunes |
| Group Art Unit         |                      |
| Examiner Name          |                      |
| Attorney Docket Number | 8624                 |

## U. S. PATENT DOCUMENTS

| EXAMINER INITIALS* | Cite No. <sup>1</sup> | U.S. PATENT DOCUMENT Number | Kind Code <sup>2</sup> (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|-----------------------------|-----------------------------------|---|--|--|
|                    | 1                     | 3,658,552                   |                                   | Carlson, et al.                                 | Apr. 25, 1972                                    |  |
|                    | 2                     | 4,187,326                   |                                   | Serafino, et al.                                | Feb. 5, 1980                                     |  |
|                    | 3                     | 4,276,311                   |                                   | Burrows, et al.                                 | Jun. 30, 1981                                    |  |
|                    | 4                     | 4,504,504                   |                                   | Gaehring, et al.                                | Mar. 12, 1985                                    |  |
|                    | 5                     | 4,529,613                   |                                   | Mezzino, et al.                                 | Jul. 16, 1985                                    |  |
|                    | 6                     | 4,612,204                   |                                   | Huffman   | Sep. 16, 1986                                    |  |
|                    | 7                     | 4,619,883                   |                                   | Anderson  | Oct. 28, 1986                                    |  |
|                    | 9                     | 5,356,654                   |                                   | Speirs, et al.                                  | Oct. 18, 1994                                    |  |
|                    | 10                    | 5,385,748                   |                                   | Bunger, et al.                                  | Jan. 31, 1995                                    |  |
|                    | 11                    | 5,498,702                   |                                   | Mitchell, et al.                                | Mar. 12, 1996                                    |  |
|                    | 12                    | 5,529,796                   |                                   | Gobbo, et al.                                   | Jun. 25, 1996                                    |  |
|                    | 13                    | 5,571,334                   |                                   | Dunn, et al.                                    | Nov. 5, 1996                                     |  |
|                    | 14                    | 5,576,039                   |                                   | Lewis   | Nov. 19, 1996                                    |  |
|                    | 15                    | 5,656,734                   |                                   | Ehrlich   | Aug. 12, 1997                                    |  |
|                    | 16                    | 5,866,190                   |                                   | Barey   | Feb. 2, 1999                                     |  |

## FOREIGN PATENT DOCUMENTS

| EXAMINER INITIALS* | Cite No. <sup>1</sup> | FOREIGN PATENT DOCUMENT Office <sup>3</sup> Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|--------------------|-----------------------|---|-----------------------------------|---|--|--|----------------|
|                    | 17                    | EP  | 0 639 335 B1                      | Lelli, et al.                                   | Jun. 17, 1998                                    |  |                |
|                    | 18                    | WO  | 99/37685                          | Marr, et al.                                    | Jul. 29, 1999                                    |  |                |
|                    | 19                    | WO  | 00/08952                          | Madsen, et al.                                  | Feb. 24, 2000                                    |  |                |

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| EXAMINER INITIALS* | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T <sup>6</sup>  |
|--------------------|-----------------------|--|-----------------|
|                    |                       |  |                 |
|                    |                       |  |                 |
|                    |                       |  |                 |
| EXAMINER           |                       |  | DATE CONSIDERED |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.